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NO. 67

THE BEHRING SEA

The Voluminous Correspondence in Relation Thereto.

BLAINE STRONG AND LOGICAL.

Complete Outline of the Controversy Over the Vexed Question Between Great Britain and the United States.

WASHINGTON, July 23.—The President in answer to his resolution, today sent the House of Representatives the official correspondence between the Government and Great Britain touching the seal fisheries of Behring Sea.

In his accompanying letter to the President, Secretary Blaine, under date of July 19, says the correspondence is still in progress. It includes thirty separate papers, beginning August 24, 1889, and closing with a letter from Secretary Blaine to Sir Julian Pauncefote, British Minister, dated July 19, 1890.

The correspondence between Secretary Blaine and the new British Minister began on January 22, this year. The Secretary opened with the acknowledgment of the receipt of papers bearing on the seizures made by the *Rush*.

He says: "In the opinion of the President the Canadian vessels arrested and detained in Behring Sea were engaged in the pursuit of *bona fide* seals, a pursuit which of necessity involves serious and permanent injury to the rights of the Government and the people of the United States. To establish this ground it is not necessary to argue the question of the extent and nature of the sovereignty of this Government over the waters of Behring Sea. Weighty considerations growing out of the acquisition of that territory, with all the rights and claims thereto, inseparably connected therewith, may be safely left out of view, while the grounds are set forth upon which this Government rests its justification for the action complained of by Her Majesty's Government."

The Secretary then speaks of the value of the seal fisheries, and controlled by Russia without interference or question until the cession of Alaska to the United States in 1867, and says the precedent, customs and rights have been established and enjoyed either by Russia or the United States for nearly a century. The two nations were the only powers that owned a foot of land on the continent that bordered the Behring waters where the seals resort to breed. However, certain Canadian vessels, in 1886, asserted their right to enter and by a ruthless course destroy the fisheries and with them the resulting industries, valuable to this government.

Secretary Blaine goes on to say: "The forcible resistance to which this government is constrained in Behring sea is in the President's judgment demanded, not only by necessity of defending the traditional and long-established rights of the United States, but also the rights of good government and good morals the world over. In this contention, the government of the United States had no occasion and no desire to withdraw or modify any position which it has at any time maintained against the claims of the imperial government of Russia. The United States will not withhold from any nation the privileges which it demanded for itself when Alaska was a part of the Russian empire, nor will the government of the United States disposed to exercise in those possessions any less power or authority than it was willing to concede to the imperial government of Russia when its sovereignty extended over them."

On August 30, Sir Pauncefote wrote to Secretary Blaine in answer to his invitation for a counter proposal for settlement, saying that the sole object of the negotiations was the preservation of the fur seal. Her Majesty's Government must question whether this pursuit can itself be regarded as *contra bona mores* unless and until, for special reasons, it has been agreed by international arrangement to forbid it. Seals are indisputably *contra bona mores* under date of May 22, in a letter to the British Minister, after saying that negotiations between Secretary Blaine and the minister afford strong reason for hope that the question is in a fair way toward satisfactory adjustment, undertakes a reply to Secretary Blaine's arguments relative to the statement that the seizures were justified by the fact that they engaged in the pursuits *contra bona mores*. The Marquis says: "It is obvious that two questions are involved, first, whether the pursuit and killing of fur seals in certain parts of the open sea is from a point of view of international morality, an offense *contra bona mores*; secondly, whether if such be the case, this fact justifies seizure on high seas and subsequent confiscation in time of peace of the private vessels of a friendly nation."

He says further: "It is an axiom of international maritime law that such action is only admissible in case of piracy or in pursuance of special international agreement. Now the pursuit of seals in an open sea, under whatever circumstances, has never been considered piracy by a civilized State, nor even if the United States had gone so far as to make the killing of fur seals piracy by their municipal law, would this have justified in punishing offenses against such law committed by persons other than their own citizens. Her Majesty's Government would, if a case be proved, be ready to consider what measures can be properly taken for the remedy of such an injury, but they would be unable on that ground to depart from a principle on which free commerce on the high seas depends."

The President, he says, is surprised that such a protest should be authorized by Lord Salisbury, especially because he views that the declaration of his lordship would seem to render it impossible. The Secretary then rapidly sketches the history of the negotiations under the previous administration, and says: "You will observe that from November 11, 1887, to April 13, 1888, Lord Salisbury in every form of speech, assented to the necessity of a close season for the protection of the seals. These assurances were given to the American Minister in

charge, and to the Russian Ambassador on more than one occasion, and to the two of them together. The United States had no reason, therefore, to doubt that the whole dispute touching the seal fisheries was practically settled.

Continuing, Secretary Blaine states that five days after that assurance Lord Salisbury said that neither an act of parliament, nor an order of council could be affected until Canada is heard from.

Mr. Phelps, in his dispatch of Sept. 12, reported: "His lordship stated that the Canadian government objected to any such restrictions and until its consent could be obtained her Majesty's government was not willing to enter into a convention."

Says the Secretary: "This government cannot but feel that Lord Salisbury should have dealt more frankly in the beginning and had so informed Minister Phelps. The British government would assuredly and rightfully complain if an agreement between her and a representative of the United States should without notice be broken off by the United States on the ground that the State of California was not willing it should be completed."

In conclusion he proposes, in behalf of the President, that her Majesty's government agree not to permit vessels to enter Behring sea this season, in order that time may be secured for negotiations that shall not be disturbed by any untoward events or influenced by popular agitation.

On June 2 the Secretary writes Sir Julian that the President believes that arbitration cannot be concluded in time for this season, and suggests that Lord Salisbury make for a single season the regulation which in 1888 he offered to make permanent, as a step which will certainly lead to a friendly agreement. To this the minister replies on June 3 that the further examination of the question has satisfied his Lordship that such an extreme measure as that proposed in 1888 goes far beyond the requirements of the case. There would be no legal power to enforce the observance of such an agreement on British vessels.

Secretary Blaine, replying on June 4, says: "The extreme measure" came from Lord Salisbury himself, and concludes: "The President does not hide his disappointment that even for the sake of securing impartial arbitration Her Majesty's Government is not willing to suspend for a single season a practice which Lord Salisbury described in 1888 as the wanton destruction of a valuable industry, and which this government has uniformly regarded as an unprovoked invasion of established rights."

On June 9, Sir Julian Pauncefote presents a copy of a telegram from Salisbury in which he regrets that the President should think him wanting in conciliation, but that it is beyond the power of his government to exclude British or Canadian ships from any portion of the high seas, even for an hour, without legislative enactment.

In reply, on the eleventh, Secretary Blaine says this government would be satisfied if Lord Salisbury would by proclamation simply request the British vessels to abstain from entering Behring Sea for the present season in order to give full time for impartial negotiation.

Sir Julian, on June 11, writes Secretary Blaine that he has so informed Lord Salisbury.

Secretary Blaine could not give assurances that the British sealing vessels would not be interfered with during the negotiations, because the decision is not final and that while there is yet time the commanders of United States revenue cruisers will be instructed to abstain from interfering with vessels.

On June 14, however, the Minister with regret, failing to secure a favorable reply, presents a formal protest of the British government.

In the protest he says in part: "The British government cannot admit the right of the United States, of their own sole motion to restrict the freedom of navigation in Behring Sea, nor to enforce municipal legislation against British vessels on the high seas. Her Britannic Majesty's Government is therefore unable to pass over without notice the public announcement of the intention on the part of the United States to renew the acts of interference with British vessels' navigation outside the territorial waters of the United States, of which they had previously to complain. The Minister is in consequence instructed to formally protest against such interference and to declare that her Britannic Majesty's government must hold the government of the United States responsible for the consequences that may ensue from acts which are contrary to the established principles of international law."

The minister next, on June 27, replies to Secretary Blaine's proposition looking to a proclamation by her Majesty's government that British vessels shall not enter Behring sea during the coming season. The minister writes that Lord Salisbury says the request presents constitutional difficulties which would preclude her Majesty's government from acceding to it, except as a part of a general scheme for the settlement of the controversy and certain conditions, which are, that the governments agree forthwith to refer to arbitration the question of the legality of the action of the United States in seizing or otherwise interfering with British vessels engaged in Behring Sea outside the territorial waters during 1887, 1888 and 1889, and that pending the award all interference with British sealing vessels shall absolutely cease, and that the United States, if the award should be adverse to them, will compensate British subjects for losses which they may sustain by reason of their compliance with the British proclamation. In the next communication, of date the present month, Lord Salisbury, referring to Secretary Blaine's criticism upon the abrupt close of the London negotiations, quotes from a statement made to him by United States Minister Phelps as follows: "Under the peculiar political circumstances of America at this moment," said Mr. Phelps, "with general election pending, it would be of little use and indeed hardly practicable to conduct any negotiations to its issue before the election had taken place."

On the last of June Secretary Blaine addresses to the British minister a very long letter in answer to Lord Salisbury's communication, in which the latter stated that Secretary John

Quincy Adams protested against Russia's claim to exclusive jurisdiction of Behring Sea. Secretary Blaine says: "The question which Lord Salisbury makes is unfortunately a most defective, erroneous and misleading one. The conclusion is separated from the premises, a comma is turned into a period and an important qualification as to the time is entirely erased, without even a suggestion that it had ever formed a part of the text and of eight-four words logically and inseparably connected thirty-five are dropped from Mr. Adams' paragraph in Lord Salisbury's quotation."

The Secretary said further: "Neither by treaty with Russia, in 1825, nor by its renewal in 1843, nor by its second renewal in 1859, did Great Britain gain any rights to take seals in Behring sea. In fact those treaties were a prohibition upon her which she steadily respected as long as Alaska was a Russian province. It is for Great Britain now to show by what laws she gained rights in that sea after the transfer of its sovereignty to the United States. During all the time, between the treaty of 1825 and the cession of Alaska to the United States in 1867, Great Britain never affirmed the rights of her subjects to capture fur seals in Behring sea, and as a matter of fact her subjects did not during that period attempt to catch seals in Behring Sea. I am justified, therefore, repeating the questions which I addressed to Her Majesty's Government on January 22, and which still remain unanswered, viz: Whence did the ships of Canada derive the right to do in 1886 that which they had refrained from doing for nearly ninety years? Upon what grounds did Her Majesty's government defend in the year 1886 a course of conduct in Behring Sea which had been carefully avoided ever since the discovery of that sea? By what reasoning did Her Majesty's government conclude that an act may be committed with impunity against the rights of the United States which had never been attempted against the rights when held by the Russian empire?"

The thirtieth and last letter of the correspondence, which would, if printed entire, fill over twenty newspaper columns, was addressed by Mr. Blaine to Sir Julian Pauncefote, from Bar Harbor, last Saturday.

In it the Secretary says: "I am instructed by the President to say that the United States is willing to consider all the proceedings of April 16, 1883, as canceled so far as American rights may be concerned. This government will ask Great Britain to adhere to the agreement made between Lord Salisbury and Mr. Phelps, on February 25, 1888. That was an agreement made directly between the two governments, and did not include the right of Russia, asking Lord Salisbury to adhere to the agreement of February 25. We leave the agreement of April 16, to be maintained, if maintained at all, by Russia, for whose cause and for whose advantage it was particularly designed."

Blaine also refers to Lord Salisbury's statement that the political event in the United States has caused the interruption of negotiations and not a Canadian objection, and closes the voluminous correspondence as follows: "I am justified in assuming that Lord Salisbury cannot recur to the remark of Mr. Phelps as one of the reasons for breaking off the negotiations, because negotiation was in actual progress for more than four months after the remark was made and Mr. Phelps himself took a large part in it. Upon this recital of facts, I am unable to recall or in any way to qualify the statement which I made in my note of June 4 to the effect that Lord Salisbury abruptly closed the negotiations because the Canadian Government objected and that he assigned no other reason whatever. Lord Salisbury expresses the belief that even if the view I have taken of these transactions are accurate, they would not bear out the argument which I found upon them. The argument to which Lord Salisbury refers is, I presume, the one made by him in my note of June 4 made by direction of the President against a change of policy by Her Majesty's government, without notice and against the wish of the United States. The interposition of the wishes of the British province against the conclusion of the convention between the two nations which, according to Mr. Phelps, had been virtually agreed upon except as to details, was in the President's belief a grave injustice to the government of the United States."

A RIOT IMMINENT.
FEARED A STRIKE MAY AFFORD ANARCHISTS OPPORTUNITY.
The Police of New York Closely Watching the Progress of the Cloakmakers' Strike.

NEW YORK, July 23.—The condition of the striking cloakmakers may be characterized tonight as critical, on the verge of a riot. Another small outbreak of twenty striking cloakmakers occurred this evening at No. 4 Allen street. One of the rioters was captured by the police. The authorities are fully alive to the situation.

A MISCREANT'S DEED.
He is the Cause of the Death of Twenty Raftsmen.
MONTREAL, July 23.—A despatch from Pembroke, eighty-six miles above Ottawa, on the Upper Ottawa river, says that two nights ago some miscreant cut the rope holding a log raft on which twenty-two raftsmen were asleep. The raft drifted into the rapids in the dark. Only two of the men got ashore. No trace of the bodies of the other twenty has been found.

A FRANTIC MOTHER.
Having Accidentally Killed Her Babies, She Attempts Suicide.

St. Joseph, Mo., July 23.—Mrs. John O'Mera, wife of a wealthy contractor, this morning took her two daughters, aged three months, from the crib into bed to play with them. She fell asleep, and on awakening shortly after, was horrified to find she had rolled over and suffocated both the babes. The poor woman was so frantic that she seized a dagger and inflicted a severe wound on herself, trying to commit suicide. She is in a critical condition.

SPORTS OF THE DAY

Loads of Fine Sport for the Patrons of the Courses.

YACHTMEN DROWNED AT DULUTH.

Billy Woods, Champion of Colorado, Whips Jack Ryan, of Omaha, in Five Rounds—Notes From the Diamond.

ST. PAUL, Minn., July 23.—This was the opening day.

Something over 15,000 people attended the opening day of the Twin City Jockey club meeting today. The track was fast and the weather warm. The event of the day was the fourth race, the Twin City Derby, value to winner \$4020. The horses were in the best of condition and their appearance was the signal for a burst of applause which did not subside till long after the great race had been run and decided. After one break they started in good style.

The three-year-olds and upward, one mile—Cousin Jeems won, Anna Race second, Catalpa third. Time, 1:43 1/4.

Second race, two-year-olds, five furlongs—Mount Joy won, Margese second, Walnut third. Time, 1:02 1/2.

Third race, mile and one-sixteenth—Cashier won, Warpeak second, Blantyre third. Time, 1:50.

Fourth race, mile and a quarter—Prince Fonso won, Joe Blackburn second, Verge Dor third. Time, 2:09 1/4.

Fifth race, three-fourths of a mile, heats, first—Allarrow won, Rival second, Lamont third. Time, 1:14 1/2.

Second—Allarrow won, Rival second. No third. Time, 1:17 1/2.

Good Time at Detroit.

DETROIT, July 23.—First race, 2:26 class trotters, special \$500 (unfinished from yesterday)—B B first, Buck Morgan second, Harry Medium third, Waveland fourth. Best time, 2:20 1/4.

Second race, class 2:20 trotters, best two in three, \$2000—Almost first, Black Diamond second, Trolean third. Best time, 2:17 1/2.

Third race, 2:24 class, Merchants and Manufacturers' Guaranteed Stakes, \$10,000 (unfinished)—Suisun first, Walter E second, playboy third, Gillette fourth. Best time, 2:18 1/4.

Fourth race, 2:17 class pacers, \$2000—Maggie R first, Emma second, Finely third, Charlie P distant. Best time, 2:16 1/2.

Sport at Homewood Park.

PITTSBURGH, July 23.—First race, 2:27 class, trotters, \$1000, divided (unfinished)—Kinkuk won third and fourth heats, Mikado won first and Yash-ion second. Best time, 2:24 1/2.

Second race, free for all pacers, \$1000, divided—Hal Pointer first, Gossip, Jr. second, Monkey Rolla third, Jewett fourth. Time, 2:18 1/4.

Yachtmen Drowned at Duluth.

DULUTH, July 23.—In the yacht race this morning two boats were struck by a squall and one went to the bottom, and Clark and Lindler were drowned. Purcell was rescued in a dying condition. The other crew was picked up by a tug.

Woods Whips Jack Ryan.

DENVER, July 23.—Three hundred sports left this city this afternoon on a special train to witness the fight between Billy Woods, champion of Colorado, and Jack Ryan, of Omaha, for \$500. Woods won the fight in the fifth round, by knocking Ryan senseless with a right hander under the ear.

Offer to LaBlanche and Mitchell.

BUFFALO, July 23.—The Erie County Athletic Club offers \$2,500 for LaBlanche and young Mitchell to fight here, since the San Francisco contest is probably off.

SUNOL AND BELLE HAMILIN.

There Will be no Race and Sunol Will be Held for Axtell.

NEW YORK, July 23.—Turf, Field and Farm, referring to its challenge for the race between Sunol and Belle Hamlin for \$10,000 a side, \$5,000 forfeit, the winner to take the entire stake and receipts, says: Mr. Hamlin has replied, declining to accept, as in his judgment the chances favor Sunol. Besides, he would not put up a forfeit of \$5,000 and run the risk of the mare going wrong. He will, however, match Belle Hamlin against Sunol for \$5000 a side, \$2,500 forfeit, the winner to have sixty and the loser forty per cent of the receipts. Turf, Field and Farm says it has no authority to accept such a proposition, and adds: "The flying filly from California is being held in reserve for the race with the great young stallion, Axtell."

ON THE DIAMOND.

Games Played by the Various Leagues Yesterday.

CLEVELAND, July 23.—A wild throw and two timely hits in the eighth gave the Boston League team a victory this afternoon. Attendance, 500. Score: Cleveland 0, Boston 2.

CLEVELAND, July 23.—The Cleveland League defeated the Brooklyn today by hard hitting. Attendance, 20. Score: Cleveland 14, Brooklyn 6.

PHILADELPHIA, July 23.—The League game today resulted in an easy victory for Philadelphia. Attendance, 2,000. Score: Philadelphia 17, Pittsburg 6.

CHICAGO, July 23.—The Boston Brotherhood team had an easy victory this afternoon. Attendance, 2300. Score: Chicago 5, Boston 22.

CHICAGO, July 23.—The League game today was exciting and the winner uncertain until the last man was out for New York in the ninth. Attendance, 1500. Score: Chicago 13, New York 12.

CINCINNATI, July 23.—The League game postponed. Rain.

WISCONSIN CYCLONE.

Does Great Injury to the Northern Section of the State.

MINNEAPOLIS, July 23.—A special from Ashland, Wis., to the Tribune says a remarkable electrical and wind storm, accompanied by a deluge of rain, passed over Northern Wisconsin and Lake Superior County last night. A number of houses, barns, out-houses, fences and trees in this city were wrecked. No one was injured. Outside reports are to the effect that all railroad grades were badly washed away. Neighboring towns also suffered.

HAD ENOUGH OF HIS BAR MAID.

Beer Slingers Do to Admirer but Not Safe to Marry.

LONDON, July 23.—The trial of the action for divorce brought by Viscount Dunlop, son of the Earl of Anarchy, against his wife, who previous to her marriage was known in London music halls as Belle Bilton, was opened today by Charles Russell. The defense is absolute denial of the charges.

Gored to Death.

ASHLAND, Ogn., July 23.—Coroner Parson was notified this morning that the dead body of John Tye, 16 years old, had been found in a well-coral at Hanley Brothers' ranch, on Batte creek, this county, where he was gored to death by the animals. He left the house early this morning, and was seen no more until found dead.

The Archbishops in Session.

BOSTON, July 23.—The Archbishops of the United States assembled for their annual meeting today in St. John Seminary, at Brighton.

WORK OF CONGRESS

Stupid Day in Both Branches of the National Legislature.

THE INDIAN BILL IN THE SENATE.

Representatives Discussing in Anything But an Amiable Manner the National Bankruptcy Bill and Adjourn Early.

WASHINGTON, July 23.—The Senate resumed consideration of the Indian appropriation bill, this morning.

An amendment for the appointment by the President of a commission of three persons to visit the Puyallup reservation, in the State of Washington, to make full inquiry and investigation regarding such reservation, whether the power of alienation by the Indians should be removed, whether the railroads shall be granted right over it or whether there is a necessity of disposal by the Indians of their interest. Agreed to. Mr. Mitchell offered an amendment for the appointment by the president of a commission of three to fix the Northern line of the Warm Springs reservation in Oregon and to visit the Colville reservation in the state of Washington and negotiate for the cession of a portion of that reservation. Agreed to. A number of committee amendments to the bill were agreed to and it went over.

The Committee on Foreign Relations reported a substitute for Mr. Pasco's resolution, calling on the President for information touching the arrest of A. J. Diaz, in Cuba, and it was agreed to. Adjourned.

In the House.

WASHINGTON, July 23.—Mr. Dacey, of Iowa, submitted the report of the Committee on Elections in the West Virginia election case of McGinn vs. Anderson, favoring the contestant. Ordered printed.

The house resumed the consideration of the Bankruptcy bill.

Mr. Kelly, of Kansas, regarded the provision requiring that referees should be members of the legal profession as a gratuitous insult to the members of other professions.

Mr. Peel, of Arkansas, thought the bill needless and impolitic. Messrs. Adams, of Illinois, Catchings, of Mississippi, Kerr, of Iowa, Wilson, of West Virginia, and McJado, of New Jersey, spoke in advocacy of the measure.

Mr. Outwaite, of Ohio, criticized the method in which this important measure was being discussed, for it was not being considered in a proper manner, he would support it.

Mr. Breckenridge, of Kentucky, also criticized the bill, which went over until tomorrow. Adjourned.

EDUCATIONAL ADVANCEMENT.

A Proposition To Consolidate Several Temple School Districts.

Judge Baxter, County Superintendent of Schools, will be in Tempe today to meet at the school-house the people of that town and of the neighboring school districts. The matter to be discussed at the meeting is the consolidation of the separate school districts into one, the separate school houses to remain where they are, but the principal school and highest grade to be located at Tempe. The districts which are to be embraced are Nos. 3 (Tempe), 13 (Rural), 20 (Double Buttes), 29 (Johnsonville). In the four districts are 415 census children, divided as follows: No. 3, 232; No. 13, 68; No. 20, 48, and No. 29, 67. There is no doubt that the consolidation will be effected. It would secure for the people of Tempe the advantages of a high school and would materially relieve the crowded condition of the country schools.

THE WORLD'S FAIR ORDINANCE.

It is Passed by the Chicago City Council Without Amendments.

CHICAGO, July 23.—Amid great cheers tonight the ordinance asked by the World's Fair, granting the use of the lake front as a part of the site of the World's Fair, was adopted by the City Council without any amendments. The vote stood 44 to 55. The ordinance pledges the city of Chicago to pay for any piling or filling in of the lake that may be necessary to the extent of \$2,000,000.

Must Go to China.

SAN FRANCISCO, July 23.—Judge Sawyer today denied the petition for writ of habeas corpus of the fourteen Chinese caught attempting to cross the Mexican border into Arizona. Commissioner Hughes remanded the Chinese to China, and the Superior Court holds it is not an appellate court. He therefore denied the writs. The Chinese leave on the next steamer.

Another Fire at Seattle.

SEATTLE, Wash., July 23.—Ballard, the northern suburb of Seattle, was visited by a very disastrous fire this morning. Caligous hotel was among the buildings destroyed. It was a two story frame and was filled with guests, many of them barely escaping with their lives. Total loss, \$14,400; insurance, \$6,500.

Kerr Under Examination.

SAN FRANCISCO, July 23.—At the examination of J. W. Kerr, charged with the murder of Edward Cogan, this afternoon, several witnesses were examined and the prosecution rested. The case went over till Friday, when the defense will be heard.

Mexico Will Be Neutral.

CITY OF MEXICO, July 23.—The Government is sending troops to the Guatemalan frontier. It is Mexico's aim to preserve strict neutrality regarding the disturbance in Central America.

CONFERENCE OF ARBITRATION.

The Earl of Aberdeen Congratulates the American Republics.

LONDON, July 23.—A party conference on international arbitration opened today, Lord Herschel presiding. The Earl of Aberdeen offered a motion declaring that the "conference hails the

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